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September 24, 2024

VIA ECF

Honorable William J. Martini, U.S.D.J.
United States District Court
Martin Luther King, Jr., Federal Building
& Courthouse
50 Walnut Street
Newark, NJ 07102

Re: *United States Securities and Exchange Commission v. Levoff*
Case No. 2:19-cv-05536-WJM-MAH

Dear Judge Martini:

We represent Defendant, Gene Daniel Levoff (“Levoff”), in this action and are in receipt of the Text Order entered today by your Honor (ECF No. 33) directing the Clerk’s Office to unseal ECF Nos. 25, 26 and 27—which are Levoff’s memorandum of law, certification and statement of material undisputed facts in support of his cross-motion for summary judgment and in opposition to the SEC’s motion for summary judgment—because a motion to seal those documents has not been filed. The subject documents attach and quote from Levoff’s presentence report and two confidential reports authored by Levoff’s clinical psychologist. As a result, we respectfully request that the Court (i) grant Levoff leave to file a motion to seal within seven days and (ii) order that ECF Nos. 25, 26 and 27 are to remain under seal until the Court rules on that motion to seal. If this request is acceptable, we respectfully request that your Honor “So Order” this letter in the space provided below.

Thank you for your consideration of this submission.

Respectfully submitted,



Kevin H. Marino

SO ORDERED:

Hon. William J. Martini, U.S.D.J.

Dated: